

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

SEP 11 1998

IN THE MATTER OF:

DOCKET NUMBER: 97-02618

COUNSEL: NONE

HEARING DESIRED: NO

---

APPLICANT REQUESTS THAT:

His records be corrected to reflect award of the Army of Occupation Medal, with Japan - Korea Clasp.

His 20 October 1949 Report of Separation, WD AGO Form 53-58, be corrected to reflect credit for time served in Korea.

His Reports of Separation, WD AGO Form 53-58, issued on 20 October 1949, and DD Form 214, issued on 17 January 1952, be corrected as stated (eye color, height, organization, military occupation, and add missing decorations).

---

APPLICANT CONTENTS THAT:

While he was in Japan, he wore the Army of Occupation Medal, with a clasp that said Japan-Korea. He realizes there is only one medal. The point is that he was in Korea and he is not being recognized for being there.

In support of his request, applicant submits copies of his WG AGO Form 53-58, ration card, enlisted men's club card, Korean Red Cross card, and extract from the Veterans of Foreign Wars (VFW) magazine and additional documents associated with his contentions (Exhibit A).

---

STATEMENT OF FACTS:

Applicant contracted his initial enlistment in the Air Force on 26 November 1947 for a period of 3 years. Applicant's WD AGO Form 53-58 reveals his overseas assignment was for the period 8 June 1948 - 8 October 1949, for a total of 1 year, 4 months and 1 day. On 20 October 1949, he received a general discharge in the grade of private, under to provisions of AR 615-365 (convenience of the government). He served a total of 1 year, 10 months and 25 days at the time of his discharge.

On 8 January 1951, applicant reenlisted in the Air Force in the grade of private first class for a period of 4 years.- On 17 January 1952, he was honorable discharged under the provisions

of AFR 39-13 (Hardship). He had completed a total of 1 year and 10 days of service and 2 days lost under Art 140, UCMJ.

---

AIR FORCE EVALUATION:

The Recognition Programs Branch, HQ AFPC/DPPRA, stated that the applicant indicated he was stationed in Korea 3 September 1945 - 29 June 1949 and in Japan 3 September 1945 - 27 April 1952. The applicant has received the Army of Occupation Medal with Japan Clasp. The Korean Service Medal and United Nations Service Medal are both awarded for the period 27 July 1950 - 27 July 1954. The applicant was informed that he is not eligible for these medals. DPPRA stated that there is no Korea clasp for the Army of Occupation Medal. Applicant cannot be awarded a clasp that does not exist. DPPRA recommended disapproval of the applicant's request for award of the Army of Occupation Medal with Korea clasp (Exhibit C).

---

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

He stated that as for being in Korea 3 Sep 45 - 29 Jun 49, that is when the occupation started and ended for Korea. He was there in July, August and part of September 1948. He did not request the Korean Service Medal or the United Nations Medal. He wore the Army of Occupation Medal with the clasp on it that said Japan-Korea. While in England, he gave his occupation ribbon, with the clasp that said Japan-Korea, to an English lady who gave him a cup of tea after he walked her home. The Veteran's of Foreign Wars (VFW) Magazine stated all the facts about the occupation medals in the August 1997 issue (Exhibit E).

---

ADDITIONAL AIR FORCE EVALUATION:

Pursuant to the Board's request for clarification of an item in the Veterans of Foreign Wars (VFW) Magazine, indicating the Army of Occupation-Far East Medal was awarded for overseas duty in Korea, during the period 3 September 1945 - 29 June 1949; and whether or not the applicant meets the criteria for receiving credit for serving in Korea, HQ AFPC/DPPRA provided the following response.

DPPRA stated that, in accordance with the Department of Defense 1348.33 Manual, September 1996, the Army of Occupation Medal for 30 consecutive days' service was awarded for military service between 3 Sep 45 - 27 Apr 52 for service in Japan and for military service during 3 Sep 45 - 29 Jun 49 for service in Korea. Hence, this portion of the VFW article is correct. However, DPPRA cannot explain the middle reproduction of "Army of Occupation - Far East." DPPRA provided a copy of the actual medal stocked and issued by the Air Force and a page from Medals of America catalog showing the medal they offer for sale, which is exactly what the Air Force has. DPPRA stated that the VFW

Magazine item the applicant enclosed is merely for individuals to determine their eligibility for membership in the VFW.

DPPPRA stated that the applicant's 20 October 1949 Report of Separation has no block to reflect the specific overseas assignment(s) of individuals. He received the Army of Occupation Medal, with Japan Clasp, as the only award to which he was considered entitled at that time. His records have been corrected to reflect award of the Good Conduct Medal and the National Defense Service Medal. DPPPRA stated that the applicant does not meet the criteria for receiving credit for service in Korea.

DPPPRA stated that there are no additional awards or decorations to which the applicant is entitled and no place on his Report of Separation to list places of his overseas service. DPPPRA recommended disapproval of the applicant's request for award of the Army of Occupation Medal with Korea clasp (Exhibit C).

---

APPLICANT'S REVIEW OF THE ADDITIONAL AIR FORCE EVALUATION:

He stated that the administrative corrections were erroneously made to his 17 January 1952 DD Form 214 instead of his 20 October 1949 Report of Separation.

The Air Force advisory states he is not entitled to award of the Occupation Medal Korea because it is not on his WD AGO Form 53-58. The reason he submitted his application is because his Korean service was not listed on his WD AGO Form 53-58. He was in Korea July, August and September 1948 (Exhibit E).

---

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was not timely filed; however, it is in the interest of justice to excuse the failure to timely file.
3. Insufficient relevant evidence has been presented to demonstrate the existence of probable error or injustice. We took notice of the applicant's complete submission in judging the merits of the case concerning award of the Army of Occupational Medal, with Japan-Korea Clasp, and correction to his WD AGO Form 53-38 to reflect credit for time served in Korea. However, we are in agreement with the opinion and recommendation of the Air Force office of primary responsibility (HQ AFPC/DPPPRA) and adopt their rationale as the basis for our conclusion that the applicant has not been the victim of an error or injustice. Therefore, absent sufficient evidence to the contrary, we find no compelling basis to recommend granting the applicant's request concerning the aforementioned issues.

4. With regard to the administrative corrections to the applicant's Reports of Separation, we noted that the previously approved corrections were erroneously entered on the DD Form 215. Inasmuch as the Reports of Separation were not properly corrected, we recommend that the applicant's records be corrected as indicated below.

---

THE BOARD RECOMMENDS THAT:

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected as follows:

a. The DD Form 215, Correction to DD Form 214, Certificate of Release or Discharge from Active Duty, issued on 24 September 1997, be declared void.

b. The WD AGO Form 53-58, Enlisted Record and Report of Separation, issued on 20 October 1949, be amended to read: Block 6 (Organization) "8<sup>th</sup> Air Police Sq [REDACTED] Block 13 (Color Eyes) 'Green'; Block 15 (Height) "5 feet 6 inches"; Block 30 (Military Occupational Specialty) "Military Policeman."

c. The DD Form 214, Report of Separation from the Armed Forces of the United States, issued on 17 January 1952, be amended to read: Block 12, Color Eyes - "Green" and Height - "5 feet 6 inches"; Block 27, Decorations - add "Good Conduct Medal" and the 'National Defense Service Medal."

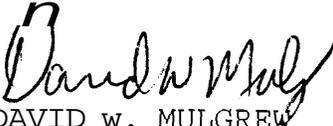
---

The following members of the Board considered this application in Executive Session on 21 July 1998, under the provisions of AFI 36-2603:

Mr. David W. Mulgrew, Panel Chair  
Mr. Joseph G. Diamond, Member  
Mr. Terry A. Yonkers, Member

All members voted to correct the records, as recommended. The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 29 Aug 97, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letters, HQ AFPC/DPPRA, dated 1 Oct 97 and 2 Mar 98, w/atchs.
- Exhibit D. Letters, SAF/MIBR, dated 20 Oct 97 and 9 Mar 98.
- Exhibit E. Letters from applicant, dated 23 Oct 97 and 26 Mar 98, w/atchs.

  
DAVID W. MULGREW  
Panel Chair



DEPARTMENT OF THE AIR FORCE  
WASHINGTON, DC

SEP 11 1998

Office of the Assistant Secretary

AFBCMR 97-02618

MEMORANDUM FOR THE CHIEF OF STAFF

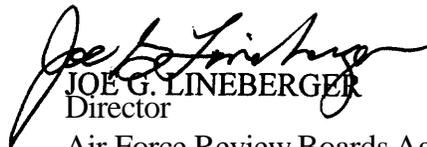
Having received and considered the recommendation of the Air Force Board for Correction of Military Records and under the authority of Section 1552, Title 10, United States Code (70A Stat 116), it is directed that:

The pertinent military records of the Department of the Air Force relating to [REDACTED] be corrected as follows:

a. The DD Form 215, Correction to DD Form 214, Certificate of Release or Discharge from Active Duty, issued on 24 September 1997, be, and hereby is, declared void.

b. The WD AGO Form 53-58, Enlisted Record and Report of Separation, issued on 20 October 1949, be amended to read: Block 6 (Organization) Air Police Sq [REDACTED]; Block 13 (Color Eyes) "Green"; Block 15 (Height) "5 feet 6 inches"; Block 30 (Military Occupational Specialty) "Military Policeman."

c. The DD Form 214, Report of Separation from the Armed Forces of the United States, issued on 17 January 1952, be amended to read: Block 12, Color Eyes - "Green" and Height - "5 feet 6 inches"; Block 27, Decorations - add "Good Conduct Medal" and the "National Defense Service Medal."

  
JOE G. LINEBERGER  
Director

Air Force Review Boards Agency